



UNITED STATES DEPARTMENT OF COMMERCE
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Washington, DC 2023

February 4, 2003

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In re application of:
Kalkunte, et al DECISION ON PETITION
Serial No.: 09/577,012
Filed: May 24, 2000
For: APPARATUS AND METHOD FOR DISTRIBUTING
A LOAD ACROSS A TRUNK GROUP

This is a decision on the petition received on September 24, 2002, to withdraw the holding of abandonment in the above-identified application. The office also, acknowledges the copy of counsel's post card showing that the first petition was received in the PTO on March 12, 2002.

The above-identified application became abandoned for failure to reply within the meaning of 37 C.F.R. 1.113 in timely manner to the Notice to File Missing Parts of Application mailed August 30, 2000. Which set a shortened statutory period for reply of two (2) months. Accordingly, this application became abandoned October 31, 2000. A notice of abandonment was mailed January 30, 2002.

On September 24, 2002, the office received a communication from the attorney of record. Enclosed was an acknowledgement that the attorney never received the Notice to File Missing Parts mailed August 30, 2000.

The evidence submitted is sufficient to establish that the petitioners never received the Notice to File Missing parts mailed August 30, 2000.

The petition is hereby GRANTED.

The application will be complete with the declaration received on September 24, 2002.

The office regrets any inconvenience this may have caused the client.

Telephone inquiries concerning this matter may be directed to Doshie E. Day at (703) 308-3640.

A handwritten signature in cursive script, appearing to read "Doshie Day", written in black ink.

Doshie E. Day
Program Management Assistant
Office Initial Patent Examination